

ORIGINAL

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

SEP 16 2003

at 6 o'clock and 40 min. AM  
WALTER A.Y.H. CHINN, CLERK

EDWARD H. KUBO, JR. #2499  
United States Attorney  
District of Hawaii

RONALD G. JOHNSON #4532  
Chief, Violent Crimes

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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

LODGED

470 SEP 12 2003  
CLERK, U.S. DISTRICT COURT  
DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 03-00141 DAE
	)	
Plaintiff,	)	NOTICE OF MOTION; GOVERNMENT'S
	)	MOTION TO QUASH SUBPOENA DUCES
vs.	)	TECUM, OR, IN THE ALTERNATIVE,
	)	FOR AN IN CAMERA INSPECTION;
DOUGLAS E. RYCHENER,	)	MEMORANDUM IN SUPPORT OF
	)	MOTION; DECLARATION OF WES
Defendant.	)	REBER PORTER; EXHIBIT "A";
	)	CERTIFICATE OF SERVICE
	)	
	)	Date: SEP 17 2003
	)	Time: 2:00 pm
	)	Judge: BARRY M. KURREN
	)	
	)	Suppression
	)	Hearing: September 24, 2003

NOTICE OF MOTION

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TO: PAMELA J. BYRNE  
Office of the Federal Public Defender  
PJKK Federal Building  
300 Ala Moana Blvd., Room #7-104  
Honolulu, Hawaii 96850

Attorney for Defendant

PLEASE TAKE NOTICE that the Government's Motion to  
Quash Subpoena Duces Tecum, or, in the Alternative, for an In  
Camera Inspection, shall come on for hearing before the Honorable  
**BARRY M. KURREN**, presiding judge of the above-entitled court, in  
his courtroom, 2<sup>nd</sup> Floor, Prince Kuhio Building, 300 Ala Moana  
Boulevard, Honolulu, Hawaii, at 2:00pm SEP 17 2003 .m., on \_\_\_\_\_  
\_\_\_\_\_, 2003, or as soon thereafter as counsel may be heard.

DATED: Honolulu, Hawaii, September 12, 2003

Respectfully submitted,

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

By   
WES REBER PORTER  
Assistant U.S. Attorney

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 03-00141 DAE
	)	
Plaintiff,	)	GOVERNMENT'S MOTION TO QUASH
	)	SUBPOENA DUCES TECUM, OR, IN
vs.	)	THE ALTERNATIVE, FOR AN IN-
	)	CAMERA INSPECTION
DOUGLAS E. RYCHENER,	)	
	)	
Defendant.	)	
	)	
	)	
	)	

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**GOVERNMENT'S MOTION TO QUASH SUBPOENA DUCES TECUM,  
OR, IN THE ALTERNATIVE, FOR AN IN CAMERA INSPECTION**

COMES NOW, the Government, by and through its attorney, Wes Reber Porter, and hereby respectfully moves for an order quashing the subpoena duces tecum issued by Pamela J. Byrne, counsel for Defendant Douglas E. Rychener ("RYCHENER"), or, in the alternative, for an order requiring an in camera inspection of said records.

This motion is brought pursuant to Rules 12, 17(c) and 47 of the Federal Rules of Criminal Procedure, Rule 12.1, et seq., of the Local Criminal Rules of the United States District Court for the District of Hawaii, and is based upon the memorandum in support of the motion, declarations, and exhibit

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attached hereto, and the records and pleadings filed in this case.

DATED: Honolulu, Hawaii, September 12, 2003.

Respectfully submitted,

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

By 

WES REBER PORTER  
Assistant U.S. Attorney